IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Crl.Rev.Pet.No. 448 of 2000()

CRA.47/1997 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.112/1994 of JDUL.MAGISTRATE OF FIRST CLASS, RAMANKARI

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REVN. PETITIONER:

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1. MURALEEDHARAN @ MURALI, S/O.GOVINDAN,
ENNOORUMCHIRA VEEDU, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

2. UNNIKRISHNAN @ UNNI, S/O. BHASKARAN,
KAINEELATHIL VEEDU, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

3. JOSHY, S/O.MURALEEDHARAN,
ENNOORUMCHIRA VEEDU, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

4. MUKUNDAN, S/O.KRISHNANKUTTY,
MACHADICHIRA VEEDU, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

5. NANDAKUMAR @ NANDAN, S/O.KRISHNANKUTTY,
KALAVARASSERY VEEDU, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

6. SHERLY,
UNDASUMPARAMBIL, KUNNUMMA WEST,
KUNNUMMA VILLAGE.

7. GIJI, S/O.BHASKARAN, CHERASSERIL VEEDU,
KUNNUMMA WEST, KUNNUMMA VILLAGE.

BY ADV. SRI.RAJA VIJAYARAGHAVAN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI
SRI.M.T.SURESHKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.2552/2000 IN CRL.R.P.NO.448/2000
DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

19/09/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.448/2000

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Dated this the 19th day of September, 2007

O R D E R

The revision petitioners are the accused who stands convicted for the offences under Sections 143, 147, 148, 326 and 149 I.P.C. and sentenced to varying terms of imprisonment. The injuries sustained by the victim are incised wound on the right forearm cutting the muscles and fracture of the lower 3rd of the left humerus and incised wound on the left wrist, incised wound on the left parietal region and loss of upper medial incisor tooth. The rest are all lacerated injuries. The incident has taken place on 14/11/1993. The allegation is that on account of previous enmity the accused attacked the de facto complainant/PW.1 with dangerous weapons.

2. The counsel for the revision petitioners has only sought for modification of the sentences pointing out that the petitioners belong to the poor strata of the society and that so long, that is, for the last 14 years they are facing the ordeal of the criminal proceedings and that they are persons in the neighbourhood and they have settled the disputes. In the circumstances, I find that the sentence for the

offence under Section 326 read with Section 149 I.P.C is modified as follows:-

Accused Nos.1, 2, 5 and 7 are sentenced to imprisonment till the rising of the court and to pay compensation of rupees ten thousand each to PW.1. The rest of the accused are sentenced to imprisonment till the rising of the court and to pay compensation of rupees five thousand each to PW.1. In default of payment of the compensation amounts they shall undergo simple imprisonment for six months each. No separate sentence is awarded to the rest of the offences. The revision petitioners are granted two months time to remit the compensation. They shall appear before the Judicial Magistrate of the First Class, Ramankary, on 26/11/2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.448/2000

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O R D E R

19th September, 2007